

AMENDED IN ASSEMBLY SEPTEMBER 2, 2011

CALIFORNIA LEGISLATURE—2011–12 FIRST EXTRAORDINARY SESSION

SENATE BILL

No. 4

Introduced by Committee on Budget and Fiscal Review

May 18, 2011

An act relating to the Budget Act of 2010. An act to amend Sections 30025, 30027, 30028.5, and 30061 of, and to add Sections 30029.3 and 30029.4 to, the Government Code, to amend Section 13821 of the Penal Code, to amend Sections 1954, 10823, 17600, 17600.10, 17601.20, and 18220.1 of the Welfare and Institutions Code, and to amend Section 14 of Chapter 40 of the Statutes of 2011, relating to local government finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 4, as amended, Committee on Budget and Fiscal Review. ~~Budget Act of 2010. Local Revenue Fund 2011.~~

Existing law establishes the Local Revenue Fund 2011, a continuously appropriated fund, and creates various accounts and subaccounts within that fund, for purposes of funding Public Safety Services, as defined.

Existing law requires counties to create, as specified, a County Local Revenue Fund 2011, and to create within that fund the Trial Court Security Account, the District Attorney and Public Defender Account, the Juvenile Justice Account, the Health and Human Services Account, and the Supplemental Law Enforcement Account. Existing law requires that those moneys in the fund and its accounts be used exclusively for Public Safety Services, as defined, and for other specific services, including funding grants pertaining to county probation, mental health,

drug and alcohol, and other county departments to provide rehabilitative, housing, and supervision services to youthful offenders.

This bill would create the Undistributed Account, the Foster Care Assistance Subaccount, and the Foster Care Administration Subaccount within the Local Revenue Fund 2011. The bill would allocate funding to those accounts, as specified, and make other conforming changes.

The bill would authorize a county or counties to contract directly with the State Department of Alcohol and Drug Programs, the State Department of Health Care Services, and the State Department of Social Services, as applicable and subject to certain conditions, to provide for the provision or administration of specified Medi-Cal drug treatment and agency adoption programs.

The bill would require that savings achieved by counties as a result of the shift of residential placement costs for seriously emotionally disturbed youth from the State Department of Social Services to the State Department of Education, as specified, be redirected to supplement foster care, child welfare services, and adoptions program expenditures, as specified.

Existing law requires in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of specified law enforcement services. Existing law also requires that in any fiscal year for which a county receives moneys to be expended for those purposes, that the county auditor allocate the moneys in the county's SLESA as specified, including any interest or other return earned on the investment of those moneys.

This bill would delete language requiring the allocated funds to include interest or other return earned on the investment of those moneys.

Existing law provides that commencing with the 2011–12 fiscal year, the Controller shall allocate 9% of the amount deposited in the Local Law Enforcement Services Account in the Local Revenue Fund 2011 to the California Emergency Management Agency, and that these funds shall be allocated by the California Emergency Management Agency according to the agency's existing programmatic guidelines. Existing law also requires that of the amount allocated, the California Emergency Management Agency shall distribute these funds according to specified percentages. Existing law further provides that beginning in the 2009–10 fiscal year and each fiscal year thereafter the California Emergency Management Agency may retain up to 3% of the funds allocated, as specified, for program administrative costs.

This bill would provide that the funds instead be allocated by the Controller pursuant to a schedule provided by the California Emergency Management Agency which shall be developed according to the agency's existing programmatic guidelines and according to specified percentages. This bill would abolish the annual 3% retainer, and instead provide that for the 2011–12 fiscal year, the California Emergency Management Agency be reimbursed up to \$511,000, as specified, for program administrative costs.

Existing law requires that for the 2010–11 fiscal year, and each fiscal year thereafter, a specified amount shall be transferred from the General Fund to the Youthful Offender Block Grant Fund.

This bill would instead provide that for the 2011–12 fiscal year no money would be transferred from the General Fund to the Youthful Offender Block Grant Fund, and that for the 2012–13 fiscal year, and each fiscal year thereafter, a specified amount shall be transferred from the General Fund to the Youthful Offender Block Grant Fund.

Existing law establishes a statewide automated welfare system for specified public assistance programs, and requires the Office of Systems Integration to migrate counties into the system, as specified. Existing law requires the office to produce a related report in 2012.

This bill would additionally require the Office of Systems Integration to oversee the migration of 39 counties into a system jointly designed by the 39 counties in addition to the County of Los Angeles under a specified contract, among other requirements for implementation. The bill would also make a related change to the required report.

Existing law establishes the Local Revenue Fund, a continuously appropriated fund with specified accounts and subaccounts. Existing law requires each county and city and county receiving funds from the Local Revenue Fund to establish and maintain a local health and welfare trust fund comprised of specified accounts.

This bill would create the CalWORKs Maintenance of Effort Subaccount within the Local Revenue Fund, and require creation of a CalWORKs Maintenance of Effort Subaccount within local health and welfare trust funds, as specified.

Existing law provides that, as to counties, certain funds that would have otherwise been deposited into the Mental Health Subaccount, as specified, shall instead be deposited in the Social Services Subaccount.

This bill would instead provide that those funds be deposited in the CalWORKs Maintenance of Effort Subaccount. The bill would also

specify a county's annual contribution towards the cost of CalWORKs grants.

Existing law provides that moneys within the Local Revenue Fund 2011 shall, upon order of the Director of Finance, be used to reimburse the General Fund for costs incurred and expenditures made by the state on behalf of any local governmental entity in providing Public Safety Services, as defined.

This bill would provide that moneys within the Local Revenue Fund 2011 and the Undistributed Account shall, upon order of the Director of Finance, be used to reimburse the General Fund for costs incurred and expenditures made by the state on behalf of any local governmental entity in providing Public Safety Services, as defined. The bill would require that, for the 2011–12 fiscal year, moneys within the Undistributed Account, upon order of the Director of Finance, be used to reimburse the General Fund for costs incurred and expenditures made by the state on behalf of any local governmental entity in providing Public Safety Services, as defined.

This bill would require the Department of Finance to submit a report to the Joint Legislative Budget Committee regarding the funding of the Local Revenue Fund 2011, as specified. The bill would state the intent of the Legislature that legislation enacted to implement the 2011 Realignment shall address, at a minimum, funding necessary for local public safety to achieve successful outcomes from the implementation of criminal justice realignment provisions and funding for the child welfare services and foster care programs necessary to achieve critical outcomes, including state and federal performance reviews.

The bill would appropriate \$1,000 from the General Fund to the California Emergency Management Agency for specified program administrative costs.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. Governor Schwarzenegger issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 6, 2010. Governor Brown issued a proclamation on January 20, 2011, declaring and reaffirming that a fiscal emergency exists and stating that his proclamation supersedes the earlier proclamation for purposes of that constitutional provision.

This bill would state that it addresses the fiscal emergency declared and reaffirmed by the Governor by proclamation issued on January 20, 2011, pursuant to the California Constitution.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2010.~~

~~The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 6, 2010.~~

~~This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 6, 2010, pursuant to the California Constitution.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30025 of the Government Code is
2 amended to read:

3 30025. (a) The Local Revenue Fund 2011 is hereby created
4 in the State Treasury and shall receive all revenues, less refunds,
5 derived from the taxes described in Sections 6051.15 and 6201.15;
6 revenues as may be allocated to the fund pursuant to Sections
7 11001.5 and 11005 of the Revenue and Taxation Code; and other
8 moneys that may be specifically appropriated to the fund.

9 (b) The Trial Court Security Account, the Local Community
10 Corrections Account, the Local Law Enforcement Services
11 Account, the Mental Health Account, the District Attorney and
12 Public Defender Account, the Juvenile Justice Account, the Health
13 and Human Services Account, ~~and~~ the Reserve Account, *and the*
14 *Undistributed Account* are hereby created within the Local Revenue
15 Fund 2011.

16 (c) The Youthful Offender Block Grant Subaccount and the
17 Juvenile Reentry Grant Subaccount are hereby created within the
18 Juvenile Justice Account.

19 (d) The Adult Protective Services Subaccount, the Foster Care
20 Assistance Subaccount, *the Foster Care Administration*
21 *Subaccount*, the Child Welfare Services Subaccount, the Adoptions
22 Subaccount, the Adoption Assistance Program Subaccount, the
23 Child Abuse Prevention Subaccount, the Women and Children's

1 Residential Treatment Services Subaccount, the Drug Court
2 Subaccount, the Nondrug Medi-Cal Substance Abuse Treatment
3 Services Subaccount, and the Drug Medi-Cal Subaccount are
4 hereby created within the Health and Human Services Account
5 within the Local Revenue Fund 2011.

6 (e) Funds transferred to the Local Revenue Fund 2011 and its
7 accounts and subaccounts are, notwithstanding Section 13340,
8 continuously appropriated and shall be allocated pursuant to statute
9 exclusively for Public Safety Services as defined in subdivision
10 ~~(h)~~ (i) and as further limited by statute. The moneys derived from
11 taxes described in subdivision (a) and deposited in the Local
12 Revenue Fund 2011 shall be available to reimburse the General
13 Fund for moneys that are advanced to the Local Revenue Fund
14 2011. Additionally, all funds deposited in the Local Revenue Fund
15 2011 and its accounts shall be available to pay for state costs
16 incurred ~~resulting from phasing in the implementation of Chapter~~
17 ~~15 of the Statutes of 2011 and to reimburse the state for costs~~
18 ~~incurred on behalf of a local governmental entity in providing~~
19 ~~Public Safety Services during the 2011–12 fiscal year from state~~
20 ~~agency or department appropriations authorized in the Budget~~
21 ~~Act of 2011 for the realignment of Public Safety Services programs~~
22 ~~during the 2011–12 legislative session. The Department of Finance~~
23 ~~is authorized to determine the time, manner, and amount to be~~
24 ~~reimbursed pursuant to this subdivision.~~

25 (f) (1) Each county treasurer, city and county treasurer, or other
26 appropriate official shall create a County Local Revenue Fund
27 2011 for the county or city and county and shall create the Local
28 Community Corrections Account, the Trial Court Security Account,
29 the District Attorney and Public Defender Account, the Juvenile
30 Justice Account, the Health and Human Services Account, and the
31 Supplemental Law Enforcement *Services* Account within the
32 County Local Revenue Fund 2011 for the county or city and
33 county.

34 (2) The moneys in the County Local Revenue Fund 2011 for
35 each county or city and county and its accounts shall be exclusively
36 used for Public Safety Services as defined in subdivision ~~(h)~~ (i)
37 and as further described in this section.

38 (3) The moneys in the Trial Court Security Account shall be
39 used exclusively to fund trial court security provided by county
40 sheriffs. No general county administrative costs may be charged

1 to this account, including, but not limited to, the costs of
2 administering the account.

3 (4) The moneys in the Local Community Corrections Account
4 shall be used exclusively to fund the provisions of Chapter 15 of
5 the Statutes of 2011. The moneys within this account shall not be
6 used by local agencies to supplant other funding for Public Safety
7 Services. This account shall be the source of funding for the
8 Postrelease Community Supervision Act of 2011, as enacted by
9 Section 479 of Chapter 15 of the Statutes of 2011, and to fund the
10 housing of parolees in county jails.

11 (5) The moneys in the District Attorney and Public Defender
12 Account shall be used exclusively to fund costs associated with
13 revocation proceedings involving persons subject to state parole
14 and the Postrelease Community Supervision Act of 2011 (Title
15 2.05 (commencing with Section 3450) of Part 3 of the Penal Code).
16 The moneys shall be allocated equally by the county or city and
17 county to the district attorney's office and county public defender's
18 office, *or where no public defender's office is established, to the*
19 *county for distribution for the same purpose.*

20 (6) The moneys in the Juvenile Justice Account shall only be
21 used to fund activities in connection with the grant programs
22 described in this paragraph.

23 (A) The Youthful Offender Block Grant Subaccount shall be
24 used to fund grants solely to enhance the capacity of county
25 probation, mental health, drug and alcohol, and other county
26 departments to provide appropriate rehabilitative, housing, and
27 supervision services to youthful offenders, subject to Sections
28 731.1, 733, 1766, and 1767.35 of the Welfare and Institutions
29 Code. Counties, in expending an allocation from this subaccount,
30 shall provide all necessary services related to the custody and
31 parole of the offenders.

32 (B) The Juvenile Reentry Grant Subaccount shall be used to
33 fund grants exclusively to address local program needs for persons
34 discharged from the custody of the Department of Corrections and
35 Rehabilitation, Division of Juvenile Facilities. County probation
36 departments, in expending the Juvenile Reentry Grant allocation,
37 shall provide evidence-based supervision and detention practices
38 and rehabilitative services to persons who are subject to the
39 jurisdiction of the juvenile court, and who were committed to and
40 discharged from the Department of Corrections and Rehabilitation,

1 Division of Juvenile Facilities. “Evidence-based” refers to
2 supervision and detention policies, procedures, programs, and
3 practices demonstrated by scientific research to reduce recidivism
4 among individuals on probation or under postrelease supervision.
5 The funds allocated from this subaccount shall supplement existing
6 services and shall not be used by local agencies to supplant any
7 existing funding for existing services provided by those entities.
8 The funding provided from this subaccount is intended to provide
9 payment in full for all local government costs of the supervision,
10 programming, education, incarceration, or any other cost resulting
11 from persons discharged from custody or held in local facilities
12 pursuant to the provisions of Chapter 729 of the Statutes of 2010.

13 (7) The Health and Human Services Account and its subaccounts
14 described in subdivision (d) shall be used only to fund activities
15 performed in connection with the programs described in this
16 subdivision. The subaccounts shall be used exclusively as follows:

17 (A) The Adult Protective Services Subaccount shall be used to
18 fund adult protective services described in statute and regulation.

19 (B) The Foster Care *Assistance* Subaccount shall be used to
20 fund the ~~administrative costs~~ and cost of foster care grants and
21 services as those services are described in statute and regulation,
22 including the costs for the Title IV-E Child Welfare Waiver
23 Demonstration Capped Allocation Project.

24 (C) *The Foster Care Administration Subaccount shall be used*
25 *to fund the administrative costs of foster care services as those*
26 *services are described in statute and regulation, including the*
27 *costs for the Title IV-E Child Welfare Waiver Demonstration*
28 *Capped Allocation Project.*

29 ~~(C)~~

30 (D) The Child Welfare Services Subaccount shall be used to
31 fund the costs of child welfare services as those services are
32 described in statute and regulation, *including the costs for the Title*
33 *IV-E Child Welfare Waiver Demonstration Capped Allocation*
34 *Project.*

35 ~~(D)~~

36 (E) The Adoptions Subaccount shall be used to fund the costs
37 connected with providing adoptive services, including agency
38 adoptions, as described in statute and regulation, including the
39 costs incurred by the county or city and county if the county or

city and county elects to contract with the state to provide those services.

~~(E)~~

(F) The Child Abuse Prevention Subaccount shall be used to fund the costs of child abuse prevention, intervention, and treatment services as those costs and services are described in statute and regulation.

~~(F)~~

(G) The Adoption Assistance Program Subaccount shall be used to fund the administrative costs and payments for families adopting children with special needs.

~~(G)~~

(H) The Women and Children's Residential Treatment Services Subaccount shall be used to fund the costs of residential perinatal drug services and treatment as those services and treatment are described in statute and regulation.

~~(H)~~

(I) The Drug Court Subaccount shall be used to fund the costs of drug court operations and services as those costs are currently permitted and described by statute and regulation.

~~(I)~~

(J) The Nondrug Medi-Cal Substance Abuse Treatment Services Subaccount shall be used to fund the costs of nondrug Medi-Cal substance abuse treatment programs, as described in statute and regulation.

~~(J)~~

(K) The Drug Medi-Cal Subaccount shall be used to fund the costs of the Drug Medi-Cal program as that program is described in statute, regulation, or the current State Plan Amendment.

(g) The moneys in the Reserve Account shall be used to fund entitlements paid from the Foster Care *Assistance* Subaccount, the Drug Medi-Cal Subaccount and the Adoption Assistance Program Subaccount of the Health and Human Services Account.

(h) The moneys in the Undistributed Account shall be used to reimburse the General Fund for costs incurred and expenditures made by the state on behalf of any local government entity in providing Public Safety Services, as defined in subdivision (i), and are available for transfer to the Local Law Enforcement Services Account to permit the full allocation as described in subdivision (e) of Section 30029.

1 ~~(h)~~

2 (i) For purposes of this section, “Public Safety Services” shall
3 include all of the following:

4 (1) Employing public safety officials, prosecutors, public
5 defenders, and court security staff.

6 (2) Managing local jails, housing and treating youthful offenders,
7 and providing services for, and overseeing the supervised release
8 of, offenders.

9 (3) Preventing child abuse, providing services to children who
10 are abused, neglected, or exploited, providing services to vulnerable
11 children and their families, and providing adult protective services.

12 (4) Providing mental health services to children and adults in
13 order to reduce failure in school, harm to themselves and others,
14 homelessness, and preventable incarceration.

15 (5) Preventing, treating, and providing recovery services for
16 alcohol and drug abuse.

17 (j) *The realignment moneys collected by the state and distributed*
18 *to the local governmental entities pursuant to this article shall be*
19 *considered state funds for the purposes of the political subdivision*
20 *provision of the nonfederal share of Medicaid expenditures for*
21 *purposes of Section 5001(g)(2) of the federal American Recovery*
22 *and Reinvestment Act of 2009 (Public Law 111-5) and Section*
23 *100201(c)(6) of the federal Patient Protection and Affordable Care*
24 *Act (Public Law 111-148).*

25 SEC. 2. *Section 30027 of the Government Code is amended to*
26 *read:*

27 30027. (a) For the 2011–12 fiscal year, on the 15th of every
28 month, the Controller shall allocate to the Mental Health Account
29 of the Local Revenue Fund 2011, ninety million three hundred
30 thousand dollars (\$90,300,000) of the revenue received into Local
31 Revenue Fund 2011, pursuant to Sections 6051.15 and 6201.15
32 of the Revenue and Taxation Code.

33 (b) (1) All funds obtained pursuant to Sections 11001.5 and
34 11005 of the Revenue and Taxation Code shall be deposited in the
35 Local Law Enforcement Services Account. However, no more
36 than four hundred and eighty-nine million nine hundred thousand
37 dollars (\$489,900,000) in total shall be allocated out of the Local
38 Law Enforcement Services Account.

39 (2) For the 2011–12 fiscal year, every month the Controller
40 shall allocate to the Local Law Enforcement Services Account

1 three million forty-one thousand six hundred sixty-seven dollars
2 (\$3,041,667) of the amounts received during any month into the
3 Local Revenue Fund 2011 pursuant to Sections 6051.15 and
4 6201.15 of the Revenue and Taxation Code. However, these
5 deposits shall cease once the Local Law Enforcement Services
6 Account has been allocated four hundred eighty-nine million nine
7 hundred thousand dollars (\$489,900,000).

8 (3) If on June 27, 2012, there have been insufficient funds
9 provided to the Local Law Enforcement Services Account to permit
10 the full allocation as described in subdivision (e) of Section 30029,
11 the Director of Finance shall allocate sufficient funds from the
12 ~~Local Revenue Fund 2011~~ *Undistributed Account* to provide that
13 full allocation.

14 (c) For the 2011–12 fiscal year, of the amounts received during
15 any month into the Local Revenue Fund 2011 pursuant to Sections
16 6051.15 and 6201.15 of the Revenue and Taxation Code, after
17 having first deducted the amount described in subdivisions (a) and
18 (b), or any other revenue except those received pursuant to Section
19 11005 of the Revenue and Taxation Code, shall be allocated by
20 the Controller on the 15th of every month as follows:

21 (1) Twelve and forty-five hundredths of 1 percent shall be
22 allocated to the Trial Court Security Account. However, no more
23 than four hundred ninety-six million four hundred twenty-nine
24 thousand dollars (\$496,429,000) in total shall be allocated to the
25 Trial Court Security Account, and the total allocation to the account
26 shall be reduced by the Director of Finance, as appropriate, to
27 reflect any reduction in trial court security costs.

28 (2) Eight and eighty-nine hundredths of 1 percent shall be
29 allocated to the Local Community Corrections Account.

30 (3) Thirty-two hundredths of 1 percent shall be allocated to the
31 District Attorney and Public Defender Account. However, no more
32 than twelve million seven hundred thousand dollars (\$12,700,000)
33 in total shall be allocated to the District Attorney and Public
34 Defender Account.

35 (4) ~~Two and forty-four~~ *forty-four* hundredths of 1 percent shall
36 be allocated to the Juvenile Justice Account. However, no more
37 than ninety-seven million one hundred ninety thousand dollars
38 (\$97,190,000) shall be allocated to the Juvenile Justice Account.

39 (5) ~~Forty-five~~ *Forty-five* and thirty-one hundredths of 1 percent
40 shall be allocated to the Health and Human Services Account.

(6) If revenue received into the Local Revenue Fund 2011, pursuant to Sections 6051.15 and 6201.15 of the Revenue and Taxation Code, cannot be allocated to a particular account *described in paragraphs (1) to (5), inclusive*, due to the cap for that account having been reached, then those funds shall be placed into the Reserve Account. The Director of Finance may allocate the funds in the Reserve Account to reimburse a county or city and county for services funded by the Adoption Assistance Program Subaccount, the Foster Care Assistance Subaccount, or the Drug Medi-Cal Subaccount of the Health and Human Services Account. The Controller shall allocate those funds based on a schedule provided by the Director of Finance, as submitted from time to time at the discretion of the Director of Finance.

(7) *After the allocations are made pursuant to paragraphs (1) to (6), inclusive, the remainder of any revenue received into the Local Revenue Fund 2011 shall be deposited in the Undistributed Account.*

(d) It is the intent of the Legislature that new allocation formulas be developed using appropriate data and information for the 2012–2013 fiscal year and each fiscal year thereafter. It is also the intent of the Legislature that sufficient protections be in place to provide ongoing funding and mandate protection for the state and local government.

SEC. 3. *Section 30028.5 of the Government Code is amended to read:*

30028.5. Funds allocated to the Health and Human Services Account from the Local Revenue Fund 2011 pursuant to paragraph (5) of subdivision (c) of Section 30027 shall be allocated by the Controller as follows:

(a) Three percent to the Adult Protective Services Subaccount.

(b) ~~Twenty-five and six tenths~~ *Twenty-one and seven-tenths* of 1 percent to the Foster Care Assistance Subaccount.

(c) *Two and two-tenths of 1 percent to the Foster Care Administration Subaccount.*

(e) ~~Thirty-five and five tenths~~

(d) *Thirty-seven and one-tenth* of 1 percent to the Child Welfare Services Subaccount.

(d)

(e) ~~Three and nine tenths~~ *nine-tenths* of 1 percent to the Adoptions Subaccount.

1 ~~(e) Seven-tenths~~

2 (f) *Seven-tenths* of 1 percent to the Child Abuse Prevention
3 *Subaccount.*

4 ~~(f)~~

5 (g) *Twenty-one and one-tenth two-tenths* of 1 percent to the
6 *Adoption Assistance Program Subaccount.*

7 ~~(g) Three-tenths~~

8 (h) *Three-tenths* of 1 percent to the Women and Children's
9 *Residential Treatment Services Subaccount.*

10 ~~(h)~~

11 (i) *One and five-tenths five-tenths* of 1 percent to the Drug Court
12 *Subaccount.*

13 ~~(i)~~

14 (j) *One and one-tenth one-tenth* of 1 percent to the Nondrug
15 *Medi-Cal Substance Abuse Treatment Services Subaccount.*

16 ~~(j)~~

17 (k) *Seven and three-tenths three-tenths* of 1 percent to the Drug
18 *Medi-Cal Subaccount.*

19 *SEC. 4. Section 30029.3 is added to the Government Code, to*
20 *read:*

21 *30029.3. (a) Notwithstanding any other law and to the extent*
22 *consistent with or required by federal law or court order, a county*
23 *or counties may contract directly with the State Department of*
24 *Alcohol and Drug Programs, the State Department of Health Care*
25 *Services, and the State Department of Social Services, as*
26 *applicable, to provide for the provision or administration of the*
27 *following programs:*

28 *(1) Medi-Cal Drug Treatment Program pursuant to Chapter*
29 *3.4 (commencing with Section 11758.40) of Part 1 of Division 10.5*
30 *of the Health and Safety Code.*

31 *(2) Agency adoptions pursuant to Chapter 2 (commencing with*
32 *Section 16100) of Part 4 of Division 9 of the Welfare and*
33 *Institutions Code and Chapter 2 (commencing with Section 8700)*
34 *of Part 2 of Division 13 of the Family Code. Notwithstanding any*
35 *other provision of law, a license issued pursuant to Chapter 3*
36 *(commencing with Section 1500) of Division 2 of the Health and*
37 *Safety Code shall not be required of a county that provides agency*
38 *adoption program services.*

39 *(b) Contracts entered into concerning the services identified in*
40 *subdivision (a) shall be exempt from the requirements of Chapter*

1 *1 (commencing with Section 10100) and Chapter 2 (commencing*
2 *with Section 10290) of Part 2 of Division 2 of the Public Contract*
3 *Code.*

4 *(c) Nothing in this section shall prevent a county from providing*
5 *administration or services for any of the programs in subdivision*
6 *(a) through a contract with another county, joint powers*
7 *agreement, or county consortium.*

8 *SEC. 5. Section 30029.4 is added to the Government Code, to*
9 *read:*

10 *30029.4. (a) The following terms have the following meanings*
11 *for purposes of implementing this section:*

12 *(1) "Adoptions" includes adoption services provided to children*
13 *and families pursuant to Section 16100 of the Welfare and*
14 *Institutions Code or which a county enters into an agreement with*
15 *another entity to provide on the county's behalf.*

16 *(2) "Child welfare services" includes those services provided*
17 *to children and families pursuant to Chapter 5 (commencing with*
18 *Section 16500) of the Welfare and Institutions Code.*

19 *(3) "Foster care" includes expenditures for out-of-home*
20 *placements for children pursuant to Article 5 (commencing with*
21 *Section 11400), and Kinship Guardianship Assistance Payments*
22 *provided pursuant to Article 4.5 (commencing with Section 11360)*
23 *or Article 4.7 (commencing with Section 11385) of, Chapter 2 of*
24 *Part 3 of Division 9 of the Welfare and Institutions Code.*

25 *(b) Savings achieved by counties as a result of the shift of*
26 *residential placement costs for seriously emotionally disturbed*
27 *youth from the State Department of Social Services to the State*
28 *Department of Education pursuant to Chapter 43 of the Statutes*
29 *of 2011 shall be redirected to supplement foster care, child welfare*
30 *services, or adoptions program expenditures. These savings*
31 *amounts, as defined in subdivision (c), shall not supplant other*
32 *foster care, child welfare services, or adoptions program*
33 *expenditures for the 2011–12 fiscal year and each fiscal year*
34 *thereafter. No county shall be required to redirect funding to foster*
35 *care, child welfare services, or adoptions programs, or any*
36 *combination of those programs or services, in an amount greater*
37 *than the amount of the offsetting savings the county achieved as*
38 *a result of the shift of residential placement costs. It is the intent*
39 *of the Legislature that the requirements of this section shall result*
40 *in no net costs to any county.*

1 (c) *The amount of savings that each county is responsible for*
2 *maintaining within the foster care, child welfare services, or*
3 *adoptions programs as defined in subdivision (a) will be calculated*
4 *by the State Department of Social Services, in conjunction with*
5 *the Department of Finance and the County Welfare Directors*
6 *Association, using the average total annual amount each county*
7 *spent on the county share of residential placement costs for*
8 *seriously emotionally disturbed youth pursuant to Assembly Bill*
9 *3632 (Chapter 1747 of the Statutes of 1984) in the 2007–08,*
10 *2008–09, and 2009–10 fiscal years.*

11 (d) *This act is not intended to limit or restrict savings realized*
12 *by counties from other caseload decreases or other decreases in*
13 *costs for the foster care, child welfare services, or adoptions*
14 *programs.*

15 (e) *This section shall not be construed to create an obligation*
16 *for any county that previously opted to spend greater than the*
17 *amount necessary to fully match its base allocation of General*
18 *Fund moneys for child welfare services and adoptions in a given*
19 *fiscal year to continue such an over match.*

20 SEC. 6. *Section 30061 of the Government Code is amended to*
21 *read:*

22 30061. (a) There shall be established in each county treasury
23 a Supplemental Law Enforcement Services Account (SLESA), to
24 receive all amounts allocated to a county for purposes of
25 implementing this chapter.

26 (b) In any fiscal year for which a county receives moneys to be
27 expended for the implementation of this chapter, the county auditor
28 shall allocate the moneys in the county's SLESA, ~~including any~~
29 ~~interest or other return earned on the investment of those moneys,~~
30 within 30 days of the deposit of those moneys into the fund, and
31 shall allocate those moneys in accordance with the requirements
32 set forth in this subdivision. However, the auditor shall not transfer
33 those moneys to a recipient agency until the Supplemental Law
34 Enforcement Oversight Committee certifies receipt of an approved
35 expenditure plan from the governing board of that agency. The
36 moneys shall be allocated as follows:

37 (1) Five and fifteen-hundredths percent to the county sheriff for
38 county jail construction and operation. In the case of Madera,
39 Napa, and Santa Clara Counties, this allocation shall be made to
40 the county director or chief of corrections.

1 (2) Five and fifteen-hundredths percent to the district attorney
2 for criminal prosecution.

3 (3) Thirty-nine and seven-tenths percent to the county and the
4 cities within the county, and, in the case of San Mateo, Kern,
5 Siskiyou, and Contra Costa Counties, also to the Broadmoor Police
6 Protection District, the Bear Valley Community Services District,
7 the Stallion Springs Community Services District, the Lake
8 Shastina Community Services District, and the Kensington Police
9 Protection and Community Services District, in accordance with
10 the relative population of the cities within the county and the
11 unincorporated area of the county, and the Broadmoor Police
12 Protection District in the County of San Mateo, the Bear Valley
13 Community Services District and the Stallion Springs Community
14 Services District in Kern County, the Lake Shastina Community
15 Services District in Siskiyou County, and the Kensington Police
16 Protection and Community Services District in Contra Costa
17 County, as specified in the most recent January estimate by the
18 population research unit of the Department of Finance, and as
19 adjusted to provide, except as provided in subdivision (j), a grant
20 of at least one hundred thousand dollars (\$100,000) to each law
21 enforcement jurisdiction. For a newly incorporated city whose
22 population estimate is not published by the Department of Finance,
23 but that was incorporated prior to July 1 of the fiscal year in which
24 an allocation from the SLESA is to be made, the city manager, or
25 an appointee of the legislative body, if a city manager is not
26 available, and the county administrative or executive officer shall
27 prepare a joint notification to the Department of Finance and the
28 county auditor with a population estimate reduction of the
29 unincorporated area of the county equal to the population of the
30 newly incorporated city by July 15, or within 15 days after the
31 Budget Act is enacted, of the fiscal year in which an allocation
32 from the SLESA is to be made. No person residing within the
33 Broadmoor Police Protection District, the Bear Valley Community
34 Services District, the Stallion Springs Community Services District,
35 the Lake Shastina Community Services District, or the Kensington
36 Police Protection and Community Services District shall also be
37 counted as residing within the unincorporated area of the County
38 of San Mateo, Kern, Siskiyou, or Contra Costa, or within any city
39 located within those counties. Except as provided in subdivision
40 (j), the county auditor shall allocate a grant of at least one hundred

1 thousand dollars (\$100,000) to each law enforcement jurisdiction.
2 Moneys allocated to the county pursuant to this subdivision shall
3 be retained in the county SLESA, and moneys allocated to a city
4 pursuant to this subdivision shall be deposited in an SLESA
5 established in the city treasury.

6 (4) Fifty percent to the county or city and county to implement
7 a comprehensive multiagency juvenile justice plan as provided in
8 this paragraph. The juvenile justice plan shall be developed by the
9 local juvenile justice coordinating council in each county and city
10 and county with the membership described in Section 749.22 of
11 the Welfare and Institutions Code. If a plan has been previously
12 approved by the Corrections Standards Authority, the plan shall
13 be reviewed and modified annually by the council. The plan or
14 modified plan shall be approved by the county board of supervisors,
15 and in the case of a city and county, the plan shall also be approved
16 by the mayor. The plan or modified plan shall be submitted to the
17 Corrections Standards Authority by May 1 of each year.

18 (A) Juvenile justice plans shall include, but not be limited to,
19 all of the following components:

20 (i) An assessment of existing law enforcement, probation,
21 education, mental health, health, social services, drug and alcohol,
22 and youth services resources that specifically target at-risk
23 juveniles, juvenile offenders, and their families.

24 (ii) An identification and prioritization of the neighborhoods,
25 schools, and other areas in the community that face a significant
26 public safety risk from juvenile crime, such as gang activity,
27 daylight burglary, late-night robbery, vandalism, truancy, controlled
28 substances sales, firearm-related violence, and juvenile substance
29 abuse and alcohol use.

30 (iii) A local juvenile justice action strategy that provides for a
31 continuum of responses to juvenile crime and delinquency and
32 demonstrates a collaborative and integrated approach for
33 implementing a system of swift, certain, and graduated responses
34 for at-risk youth and juvenile offenders.

35 (iv) Programs identified in clause (iii) that are proposed to be
36 funded pursuant to this subparagraph, including the projected
37 amount of funding for each program.

38 (B) Programs proposed to be funded shall satisfy all of the
39 following requirements:

1 (i) Be based on programs and approaches that have been
2 demonstrated to be effective in reducing delinquency and
3 addressing juvenile crime for any elements of response to juvenile
4 crime and delinquency, including prevention, intervention,
5 suppression, and incapacitation.

6 (ii) Collaborate and integrate services of all the resources set
7 forth in clause (i) of subparagraph (A), to the extent appropriate.

8 (iii) Employ information sharing systems to ensure that county
9 actions are fully coordinated, and designed to provide data for
10 measuring the success of juvenile justice programs and strategies.

11 (iv) Adopt goals related to the outcome measures that shall be
12 used to determine the effectiveness of the local juvenile justice
13 action strategy.

14 (C) The plan shall also identify the specific objectives of the
15 programs proposed for funding and specified outcome measures
16 to determine the effectiveness of the programs and contain an
17 accounting for all program participants, including those who do
18 not complete the programs. Outcome measures of the programs
19 proposed to be funded shall include, but not be limited to, all of
20 the following:

21 (i) The rate of juvenile arrests per 100,000 population.

22 (ii) The rate of successful completion of probation.

23 (iii) The rate of successful completion of restitution and
24 court-ordered community service responsibilities.

25 (iv) Arrest, incarceration, and probation violation rates of
26 program participants.

27 (v) Quantification of the annual per capita costs of the program.

28 (D) The Corrections Standards Authority shall review plans or
29 modified plans submitted pursuant to this paragraph within 30
30 days upon receipt of submitted or resubmitted plans or modified
31 plans. The authority shall approve only those plans or modified
32 plans that fulfill the requirements of this paragraph, and shall advise
33 a submitting county or city and county immediately upon the
34 approval of its plan or modified plan. The authority shall offer,
35 and provide, if requested, technical assistance to any county or
36 city and county that submits a plan or modified plan not in
37 compliance with the requirements of this paragraph. The SLESA
38 shall only allocate funding pursuant to this paragraph upon
39 notification from the authority that a plan or modified plan has
40 been approved.

(E) To assess the effectiveness of programs funded pursuant to this paragraph using the program outcome criteria specified in subparagraph (C), the following periodic reports shall be submitted:

(i) Each county or city and county shall report, beginning October 15, 2002, and annually each October 15 thereafter, to the county board of supervisors and the Corrections Standards Authority, in a format specified by the authority, on the programs funded pursuant to this chapter and program outcomes as specified in subparagraph (C).

(ii) The Corrections Standards Authority shall compile the local reports and, by March 15, 2003, and annually thereafter, make a report to the Governor and the Legislature on program expenditures within each county and city and county from the appropriation for the purposes of this paragraph, on the outcomes as specified in subparagraph (C) of the programs funded pursuant to this paragraph and the statewide effectiveness of the comprehensive multiagency juvenile justice plans.

(c) Subject to subdivision (d), for each fiscal year in which the county, each city, the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District receive moneys pursuant to paragraph (3) of subdivision (b), the county, each city, and each district specified in this subdivision shall appropriate those moneys in accordance with the following procedures:

(1) In the case of the county, the county board of supervisors shall appropriate existing and anticipated moneys exclusively to provide frontline law enforcement services, other than those services specified in paragraphs (1) and (2) of subdivision (b), in the unincorporated areas of the county, in response to written requests submitted to the board by the county sheriff and the district attorney. Any request submitted pursuant to this paragraph shall specify the frontline law enforcement needs of the requesting entity, and those personnel, equipment, and programs that are necessary to meet those needs. The board shall, at a public hearing held at a time determined by the board in each year that the Legislature appropriates funds for purposes of this chapter, or within 30 days after a request by a recipient agency for a hearing if the funds have been received by the county from the state prior

1 to that request, consider and determine each submitted request
2 within 60 days of receipt, pursuant to the decision of a majority
3 of a quorum present. The board shall consider these written
4 requests separate and apart from the process applicable to proposed
5 allocations of the county general fund.

6 (2) In the case of a city, the city council shall appropriate
7 existing and anticipated moneys exclusively to fund frontline
8 municipal police services, in accordance with written requests
9 submitted by the chief of police of that city or the chief
10 administrator of the law enforcement agency that provides police
11 services for that city. These written requests shall be acted upon
12 by the city council in the same manner as specified in paragraph
13 (1) for county appropriations. *As a condition for the receipt of*
14 *those funds, a city shall maintain its overall funding for frontline*
15 *municipal police services at or above the 2010–11 fiscal year level.*

16 (3) In the case of the Broadmoor Police Protection District
17 within the County of San Mateo, the Bear Valley Community
18 Services District or the Stallion Springs Community Services
19 District within Kern County, the Lake Shastina Community
20 Services District within Siskiyou County, or the Kensington Police
21 Protection and Community Services District within Contra Costa
22 County, the legislative body of that special district shall appropriate
23 existing and anticipated moneys exclusively to fund frontline
24 municipal police services, in accordance with written requests
25 submitted by the chief administrator of the law enforcement agency
26 that provides police services for that special district. These written
27 requests shall be acted upon by the legislative body in the same
28 manner specified in paragraph (1) for county appropriations.

29 (d) For each fiscal year in which the county, a city, or the
30 Broadmoor Police Protection District within the County of San
31 Mateo, the Bear Valley Community Services District or the Stallion
32 Springs Community Services District within Kern County, the
33 Lake Shastina Community Services District within Siskiyou
34 County, or the Kensington Police Protection and Community
35 Services District within Contra Costa County receives any moneys
36 pursuant to this chapter, in no event shall the governing body of
37 any of those recipient agencies subsequently alter any previous,
38 valid appropriation by that body, for that same fiscal year, of
39 moneys allocated to the county or city pursuant to paragraph (3)
40 of subdivision (b).

1 (e) In the 2009–10 fiscal year, and every fiscal year thereafter,
2 the Controller shall allocate 21.30 percent of the amount deposited
3 in the Local Safety and Protection Account for purposes of
4 paragraphs (1), (2), and (3) of subdivision (b), and shall allocate
5 21.30 percent for purposes of paragraph (4) of subdivision (b).

6 (f) Commencing with the 2011–12 fiscal year, the Controller
7 shall allocate 23.54 percent of the amount deposited in the Local
8 Law Enforcement Services Account in the Local Revenue Fund
9 2011 for the purposes of paragraphs (1), (2), and (3) of subdivision
10 (b), and shall allocate 23.54 percent for purposes of paragraph (4)
11 of subdivision (b).

12 (g) The Controller shall allocate funds to local jurisdictions for
13 public safety in accordance with this section as annually calculated
14 by the Director of Finance. In the 2009–10 fiscal year, and each
15 fiscal year thereafter, the Controller shall allocate funds authorized
16 for purposes of this chapter on a quarterly basis, beginning October
17 1 of each year.

18 (h) Funds received pursuant to subdivision (b) shall be expended
19 or encumbered in accordance with this chapter no later than June
20 30 of the following fiscal year. A local agency that has not met
21 this requirement shall remit unspent SLESF moneys received prior
22 to April 1, 2009, to the Controller for deposit into the General
23 Fund. A local agency that has not met the requirement of this
24 subdivision shall remit unspent SLESF moneys received after April
25 1, 2009, to the Controller for deposit in the Local Safety and
26 Protection Account, and after April 1, 2012, to the Local Law
27 Enforcement Services Account.

28 (i) If a county, a city, a city and county, or a qualifying special
29 district does not comply with the requirements of this chapter to
30 receive an SLESA allocation, the Controller shall revert funds that
31 were provided for the noncompliant entity prior to April 1, 2009,
32 to the General Fund. Funds provided for the noncompliant entity
33 after March 1, 2009, shall be reverted to the Local Safety and
34 Protection Account, and after March 1, 2012, shall be reverted to
35 the Local Law Enforcement Services Account.

36 (j) In the 2010–11 fiscal year, if the fourth quarter revenue
37 derived from fees imposed by subdivision (a) of Section 10752.2
38 of the Revenue and Taxation Code that are deposited in the General
39 Fund and transferred to the Local Safety and Protection Account,
40 and continuously appropriated to the Controller for allocation

1 pursuant to this section, are insufficient to provide a minimum
2 grant of one hundred thousand dollars (\$100,000) to each law
3 enforcement jurisdiction, the county auditor shall allocate the
4 revenue proportionately, based on the allocation schedule in
5 paragraph (3) of subdivision (b). The county auditor shall
6 proportionately allocate, based on the allocation schedule in
7 paragraph (3) of subdivision (b), all revenues received after the
8 distribution of the fourth quarter allocation attributable to these
9 fees for which payment was due prior to July 1, 2011, until all
10 minimum allocations are fulfilled, at which point all remaining
11 revenue shall be distributed proportionately among the other
12 jurisdictions.

13 *SEC. 7. Section 13821 of the Penal Code is amended to read:*

14 13821. (a) Of the amount deposited in the Local Safety and
15 Protection Account in the Transportation Fund authorized by
16 Section 10752.2 of the Revenue and Taxation Code, the Controller
17 shall allocate 12.68 percent in the 2008–09 fiscal year and 11.42
18 percent in the 2009–10 fiscal year, and each fiscal year thereafter,
19 to the California Emergency Management Agency. The Controller
20 shall allocate these funds on a quarterly basis beginning April 1,
21 2009.

22 (b) Commencing with the 2011–12 fiscal year, the Controller
23 shall allocate 9 percent of the amount deposited in the Local Law
24 Enforcement Services Account in the Local Revenue Fund 2011
25 to the California Emergency Management Agency. The Controller
26 shall allocate these funds on a quarterly basis beginning on October
27 1. These funds shall be allocated by the *Controller pursuant to a*
28 *schedule provided by the* California Emergency Management
29 *Agency which shall be developed* according to the agency's
30 existing programmatic guidelines. ~~Of the amount allocated pursuant~~
31 ~~to this subdivision, the California Emergency Management Agency~~
32 ~~shall distribute these funds according to and the following~~
33 percentages:

34 (1) The California Multi-Jurisdictional Methamphetamine
35 Enforcement Teams shall receive 47.52 percent in the 2011–12
36 fiscal year and each fiscal year thereafter.

37 (2) The Multi-Agency Gang Enforcement Consortium shall
38 receive 0.2 percent in the 2011–12 fiscal year, and each fiscal year
39 thereafter.

(3) The Sexual Assault Felony Enforcement Teams, authorized by Section 13887, shall receive 12.48 percent in the 2011–12 fiscal year and each fiscal year thereafter.

(4) The High Technology Theft Apprehension and Prosecution Program, authorized by Section 13848.2, shall receive 26.83 percent in the 2011–12 fiscal year, and each fiscal year thereafter.

(5) The Gang Violence Suppression Program authorized by Section 13826.1, shall receive 3.91 percent in the 2011–12 fiscal year and each fiscal year thereafter.

(6) The Central Valley and Central Coast Rural Crime Prevention Programs, authorized by Sections 14170 and 14180, shall receive 9.06 percent in the 2011–12 fiscal year and each fiscal year thereafter.

~~(c) Beginning in the 2009–10 fiscal year and~~ *For the 2011–12 fiscal year and each fiscal year thereafter*, the California Emergency Management Agency may ~~retain~~ *be reimbursed up to 3 percent of five hundred eleven thousand dollars (\$511,000) from the funds allocated in subdivision (a) or (b) for program administrative costs.*

SEC. 8. Section 1954 of the Welfare and Institutions Code is amended to read:

1954. (a) There is no appropriation from the General Fund for the purpose described in subdivision (b) for the 2011–12 fiscal year.

~~(b) For the 2010–11~~ *2012–13* fiscal year, and each *fiscal* year thereafter, an amount shall be transferred from the General Fund to the Youthful Offender Block Grant Fund equal to that amount transferred to the Youthful Offender Block Grant Fund for the 2009–10 fiscal year, as described in subdivisions (a), (b), and (c) of Section 1953.5, adjusted to account for full-year impacts.

SEC. 9. Section 10823 of the Welfare and Institutions Code, as amended by Section 13 of Chapter 4 of the Fourth Extraordinary Session of the Statutes of 2009, is amended to read:

10823. (a) (1) The Office of Systems Integration shall implement a statewide automated welfare system for the following public assistance programs:

(A) The CalWORKs program.

~~(B) The Food Stamp Program.~~ *CalFresh.*

(C) The Medi-Cal program.

(D) The foster care program.

(E) The refugee program.

1 (F) County medical services programs.

2 (2) Statewide implementation of the statewide automated welfare
3 system for the programs listed in paragraph (1) shall be achieved
4 through no more than four county consortia, including the Interim
5 Statewide Automated Welfare System Consortium, and the Los
6 Angeles Eligibility, Automated Determination, Evaluation, and
7 Reporting System.

8 (3) Notwithstanding paragraph (2), the Office of Systems
9 Integration shall migrate the 35 counties that currently use the
10 Interim Statewide Automated Welfare System (SAWS) into the
11 C-IV system within the following timeline:

12 (A) Complete Migration System Test and begin User Acceptance
13 Testing on or before June 30, 2009.

14 (B) Complete implementation in at least five counties by
15 February 28, 2010.

16 (C) Complete implementation in at least 14 additional counties
17 on or before May 31, 2010.

18 (D) Complete implementation in all 35 counties on or before
19 August 31, 2010.

20 (E) Decommission the Interim Statewide Automated Welfare
21 System on or before January 31, 2011.

22 (4) *Notwithstanding paragraph (2), the Office of Systems*
23 *Integration shall oversee the migration of the 39 counties*
24 *composing the C-IV Consortium into a system jointly designed by*
25 *the 39 counties plus Los Angeles County under the LEADER*
26 *Replacement System contract. This migration shall result in a new*
27 *consortium to replace the LEADER and C-IV Consortia.*

28 (5) *The consortia and the state shall take any action necessary*
29 *to ensure that the current SAWS maintenance and operations*
30 *agreements are extended for the LEADER and C-IV Consortia,*
31 *pending the completion of the LEADER Replacement System and*
32 *migration of the C-IV Consortium as set forth in paragraph (4),*
33 *and for the continuation of the Welfare Client Data System*
34 *Consortium.*

35 (6) *Each SAWS consortium shall provide a seat on its governing*
36 *body for a representative of the state and shall allow for the*
37 *stationing of state staff at the project site.*

38 (b) Nothing in subdivision (a) transfers program policy
39 responsibilities related to the public assistance programs specified
40 in subdivision (a) from the State Department of Social Services

1 or the State Department of Health *Care* Services to the Office of
2 Systems Integration.

3 (c) (1) On February 1 of each year, the Office of Systems
4 Integration shall provide an annual report to the appropriate
5 committees of the Legislature on the statewide automated welfare
6 system implemented under this section. The report shall address
7 the progress of state and consortia activities and any significant
8 schedule, budget, or functionality changes in the project.

9 (2) *The report provided pursuant to this subdivision in 2012*
10 *shall also include the projected timeline and key milestones for*
11 *the development of the LEADER Replacement System and of the*
12 *new consortium described in paragraph (4) of subdivision (a).*

13 (d) Notwithstanding any other law, the Statewide Automated
14 Welfare System consortia shall have the authority to expend within
15 approved annual state budgets for each system as follows:

16 (1) Make changes within any line item, provided that the change
17 does not create additional project costs in the current or in a future
18 budget year.

19 (2) Make a change of up to one hundred thousand dollars
20 (\$100,000) or 10 percent of the total for the line item from which
21 the funds are derived, whichever is greater, between line items
22 with notice to the Office of Systems Integration, provided that the
23 change does not create additional project costs in the current or in
24 a future budget year.

25 (3) Make requests to the Office of Systems Integration for
26 changes between line items of greater than one hundred thousand
27 dollars (\$100,000) or 10 percent of the total for the line item from
28 which the funds are derived, which do not increase the total cost
29 in the current or a future budget year. The Office of Systems
30 Integration shall take action to approve or deny the request within
31 10 days.

32 *SEC. 10. Section 17600 of the Welfare and Institutions Code*
33 *is amended to read:*

34 17600. (a) There is hereby created the Local Revenue Fund,
35 which shall have all of the following accounts:

36 (1) The Sales Tax Account.

37 (2) The Vehicle License Fee Account.

38 (3) The Vehicle License Collection Account.

39 (4) The Sales Tax Growth Account.

40 (5) The Vehicle License Fee Growth Account.

(b) The Sales Tax Account shall have all of the following subaccounts:

- (1) The Mental Health Subaccount.
- (2) The Social Services Subaccount.
- (3) The Health Subaccount.
- (4) *The CalWORKs Maintenance of Effort Subaccount.*

(c) The Sales Tax Growth Account shall have all of the following subaccounts:

- (1) The Caseload Subaccount.
- (2) The Base Restoration Subaccount.
- (3) The Indigent Health Equity Subaccount.
- (4) The Community Health Equity Subaccount.
- (5) The Mental Health Equity Subaccount.
- (6) The State Hospital Mental Health Equity Subaccount.
- (7) The County Medical Services Subaccount.
- (8) The General Growth Subaccount.
- (9) The Special Equity Subaccount.

(d) Notwithstanding Section 13340 of the Government Code, the Local Revenue Fund is hereby continuously appropriated, without regard to fiscal years, for the purpose of this chapter.

(e) The Local Revenue Fund shall be invested in the Surplus Money Investment Fund and all interest earned shall be distributed in January and July among the accounts and subaccounts in proportion to the amounts deposited into each subaccount, except as provided in subdivision (f).

(f) If a distribution required by subdivision (e) would cause a subaccount to exceed its limitations imposed pursuant to any of the following, the distribution shall be made among the remaining subaccounts in proportion to the amounts deposited into each subaccount in the six prior months:

- (1) Subdivision (a) of Section 17605.
- (2) Paragraph (1) of subdivision (a) of Section 17605.05.
- (3) Subdivision (b) of Section 17605.10.
- (4) Subdivision (c) of Section 17605.10.

SEC. 11. Section 17600.10 of the Welfare and Institutions Code is amended to read:

17600.10. (a) Each county and city and county receiving funds in accordance with this chapter shall establish and maintain a local health and welfare trust fund comprised of the following accounts:

- (1) The mental health account.

1 (2) The social services account.

2 (3) The health account.

3 (4) *The CalWORKs Maintenance of Effort Subaccount.*

4 (b) Each city receiving funds in accordance with this chapter
5 shall establish and maintain a local health and welfare trust fund
6 comprised of a health account and a mental health account.

7 *SEC. 12. Section 17601.20 of the Welfare and Institutions Code*
8 *is amended to read:*

9 17601.20. (a) Notwithstanding any other law, beginning in
10 the 2011–12 fiscal year, except for the funds described in
11 subdivision (c), any funds under this chapter or any other provision
12 of Chapter 89 of the Statutes of 1991 that would have otherwise
13 been deposited into the Mental Health Subaccount subsequent to
14 July 15 shall instead be deposited in the ~~Social Services~~ *CalWORKs*
15 *Maintenance of Effort* Subaccount.

16 (b) All of the funds deposited in the ~~Social Services~~ *CalWORKs*
17 *Maintenance of Effort* Subaccount pursuant to subdivision (a) shall
18 be used by each county and city and county that receives an
19 allocation of those funds to pay an increased county ~~share of~~
20 *contribution toward the costs of CalWORKs grant costs, grants.*
21 *Each county's total annual contribution pursuant to this section*
22 *shall equal the total amount of funds deposited in the county's*
23 *CalWORKs Maintenance of Effort Subaccount during that fiscal*
24 *year. The CalWORKs Maintenance of Effort Subaccount shall not*
25 *be subject to the transferability provisions of Section 17600.20*
26 *and shall not be factored into the calculation of growth allocations*
27 *pursuant to Article 7 (commencing with Section 17606.05). Each*
28 *county's contribution pursuant to this section shall be in addition*
29 *to the share of cost required pursuant to Section 15200.*

30 (c) There shall be a monthly allocation from the Mental Health
31 Account in the Local Revenue Fund 2011 to the Mental Health
32 Subaccount pursuant to subdivision (a) of Section 30027 of the
33 Government Code.

34 *SEC. 13. Section 18220.1 of the Welfare and Institutions Code*
35 *is amended to read:*

36 18220.1. (a) Of the amount deposited in the Local Safety and
37 Protection Account in the Transportation Fund authorized by
38 Section 10752.2 of the Revenue and Taxation Code, the Controller
39 shall allocate 5.85 percent in the 2009–10 fiscal year and each year
40 thereafter. The Controller shall allocate these funds on a quarterly

1 basis beginning April 1, 2009, to the Department of Corrections
2 and Rehabilitation. The department shall allocate the funds
3 appropriated in the annual Budget Act and included in the Local
4 Safety and Protection Account among counties that operate juvenile
5 camps and ranches based on the number of occupied beds in each
6 camp as of 12:01 a.m. each day, up to the Corrections Standards
7 Authority rated maximum capacity, as determined by the
8 Corrections Standards Authority.

9 (b) Commencing with the 2011–12 fiscal year, the Controller
10 shall, on a quarterly basis beginning October 1, allocate 6.47
11 percent of the funds deposited in the Local Law Enforcement
12 Services Account in the Local Revenue Fund 2011 ~~to the~~ *pursuant*
13 *to a schedule provided by the* Department of Corrections and
14 Rehabilitation. ~~The department~~ *department's schedule shall allocate*
15 ~~the~~ *provide for the allocation of* funds appropriated in the annual
16 Budget Act, and included in the Local Law Enforcement Services
17 Account, among counties that operate juvenile camps and ranches
18 based on the number of occupied beds in each camp as of 12:01
19 a.m. each day, up to the Corrections Standards Authority rated
20 maximum capacity, as determined by the Corrections Standards
21 Authority.

22 *SEC. 14. Section 14 of Chapter 40 of the Statutes of 2011 is*
23 *amended to read:*

24 Sec. 14. For the 2011–12 fiscal year, in accordance with
25 subdivision ~~(e)~~ (e) of Section 30025 of the Government Code,
26 moneys within the Local Revenue Fund 2011 *and the Undistributed*
27 *Account* shall, upon order of the Director of Finance, be used to
28 reimburse the General Fund for costs incurred and expenditures
29 made by the state on behalf of any local governmental entity in
30 providing Public Safety Services, as defined in subdivision ~~(h)~~ (i)
31 of Section 30025 of the Government Code, permissible to be paid
32 from the Local Community Corrections Account as described in
33 Section 30025 of the Government Code. *For the 2011–12 fiscal*
34 *year, in accordance with subdivision (e) of Section 30025 of the*
35 *Government Code, moneys within the Undistributed Account shall,*
36 *upon order of the Director of Finance, be used to reimburse the*
37 *General Fund for costs incurred and expenditures made by the*
38 *state on behalf of any local governmental entity in providing Public*
39 *Safety Services, as defined in subdivision (i) of Section 30025 of*
40 *the Government Code.*

1 *SEC. 15. On or before May 30, 2012, the Department of*
2 *Finance shall submit a report to the Joint Legislature Budget*
3 *Committee regarding the funding of the Local Reserve Fund 2011.*
4 *This report shall include the estimated amount of moneys used to*
5 *reimburse the state for the 2011–12 fiscal year, and the anticipated*
6 *use of the moneys in the Undistributed Account.*

7 *SEC. 16. It is the intent of the Legislature that legislation*
8 *enacted to implement the 2011 Realignment shall address, as a*
9 *priority, funding necessary for local public safety to achieve*
10 *successful outcomes from the implementation of Assembly Bill 109*
11 *(Chapter 15 of the Statutes of 2011), and the funding for the child*
12 *welfare services and foster care programs necessary to achieve*
13 *critical outcomes, including state and federal performance reviews.*

14 *SEC. 17. There is hereby appropriated one thousand dollars*
15 *(\$1,000) from the General Fund to the California Emergency*
16 *Management Agency for program administrative costs incurred*
17 *in connection with Section of 13281 of the Penal Code.*

18 *SEC. 18. This act addresses the fiscal emergency declared and*
19 *reaffirmed by the Governor by proclamation on January 20, 2011,*
20 *pursuant to subdivision (f) of Section 10 of Article IV of the*
21 *California Constitution.*

22 *SEC. 19. This act is a bill providing for appropriations related*
23 *to the Budget Bill within the meaning of subdivision (e) of Section*
24 *12 of Article IV of the California Constitution, has been identified*
25 *as related to the budget in the Budget Bill, and shall take effect*
26 *immediately.*

27 ~~*SECTION 1. It is the intent of the Legislature to enact statutory*~~
28 ~~*changes relating to the Budget Act of 2010.*~~

29 ~~*SEC. 2. This act addresses the fiscal emergency declared by*~~
30 ~~*the Governor by proclamation on December 6, 2010, pursuant to*~~
31 ~~*subdivision (f) of Section 10 of Article IV of the California*~~
32 ~~*Constitution.*~~